



Memorandum in Support

COMMITTEE ON ANIMALS AND THE LAW

Animals #17

April 26, 2023

S. 5341

By: Senator Addabbo

A.2718

By: M. of A. Paulin

Senate Committee: Consumer Protection

Assembly Committee: Economic Development

Effective Date: 180th day after it shall have become a law

AN ACT to amend the general business law, in relation to the licensing and regulation of pet grooming facilities.

LAW & SECTIONS REFERRED TO: General Business Law Article 29-CCC, sections 539-545.

THE COMMITTEE ON ANIMALS AND THE LAW SUPPORTS THIS LEGISLATION

This bill would amend the General Business Law by adding a new article establishing licensing and regulation of pet grooming facilities,¹ and provides for license refusal, suspension or revocation. It would require that pet grooming facilities hold a license issued by the Secretary of State. The Secretary of State, in cooperation and consultation with the Department of Agriculture and Markets, shall adopt rules and regulations with respect to the form and content for applications of licenses. This proposed law would establish standards for record keeping for pet grooming facilities. The Secretary of State would be granted the authority to inspect and impose civil penalties.

Pets live in more than 66% of American homes. The American Pet Products Association (APPA) estimated American consumers spent more than \$136.8 billion on their pets in 2022. Pet services, such as grooming and boarding, alone totaled more than \$11.4 billion in 2022 and are predicted to continue to increase in 2023. Pet grooming is a big business but is still largely

¹ Pet shows and exhibitions are exempted from the bill's definition of pet grooming facilities. Solely self-service facilities with equipment but without services are not within the definition of pet grooming facilities.

unregulated in most states including New York. Preventable pet injuries and deaths are increasing as the demand for grooming services increases. Licensing and uniform standards will provide consumers with confidence that they are not placing their pets at unnecessary risk when they deliver their pet to a facility for grooming services. When preventable injuries occur due to lack of training and skill, there must be legal recourse against the facility and the licensed owner or manager of the facility.

Pet grooming facilities exist in almost every community in New York State, yet they are unregulated and not held to uniform standards of care. The legislative goal is to protect the safety and well-being of pets while being groomed at these facilities. There have been numerous reports of injury and even death of healthy pets while being groomed. State licensing of pet grooming facilities would do much to protect consumers and their pets from inappropriate and unsafe practices.

To accomplish the goal of protecting all pets at grooming facilities, this legislative proposal requires licensing as well as obligating pet owners to provide veterinary records including updated vaccinations and known health conditions. The bill provides that the Secretary of State, in cooperation and consultation with the Department of Agriculture and Markets, shall adopt and promulgate rules and regulations with respect to form and content of application of licenses. The purpose is to ensure that applicants for licenses have sufficient skills to safeguard the health and safety of the animals in the facilities' care. Licensees must pay a fee of \$40.00 for a license to be issued. Facilities would be required to display the license in a conspicuous place.

The law further provides for license refusal, suspension or revocation, and outlines procedures for hearings to afford the facility subject to a license refusal, suspension or revocation, an opportunity to be heard in person or to be represented by counsel. Any action of the Secretary of State will be subject to judicial review. The law also provides for inspections and possible fines. In cases not involving the health or safety of a person or pet, the Secretary of State may allow for a cure period or other opportunity for ameliorative action. The provisions of the law provide for a municipality, to which the Secretary of State has delegated authority, to concurrently enforce the law, and allows moneys collected to be retained by the municipality. Any municipality with a population of one million or more will not be limited or restricted from enacting or enforcing a local law governing pet groomers, provided that such local law is no less stringent than the provisions of the state law. New York City, which meets that population criteria, has already enacted a law requiring pet grooming facilities to obtain a permit, and requiring that every dog presented for grooming services is vaccinated for rabies and other infectious diseases listed in the NYC Health Code; provisions of that NYC Law would remain in effect if this bill is passed.

We urge the Legislature to pass this important and necessary bill into law to protect people from the preventable, premature loss of their pets. For the foregoing reasons, the Committee on Animals and the Law **SUPPORTS** the passage and enactment of this legislation.